

EXHIBIT A

ELLEN YAROSHEFSKY

Benjamin N. Cardozo School of Law
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Bar Admissions

New York and Washington State Courts
Various U.S. District Courts
Second and Ninth Circuit Courts of Appeals
U.S. Supreme Court

Academic Employment

Benjamin N. Cardozo School of Law

1994-present

Executive Director, Jacob Burns Ethics Center in the Practice of Law
Clinical Professor of Law
Teach a range of courses in Legal and Judicial Ethics, Evidence,
Wrongful Convictions
Develop symposia and ethics programs
Direct and teach Cardozo's Intensive Trial Advocacy Program
Program Director, Public Service Scholars (2004-present)

Fordham School of Law

Fall 2001
Fall 2010

Adjunct Professor of Law
Course: Ethics in Criminal Advocacy

Legal Employment

Ethics Consultant

2008
2000-2004

Advise and represent lawyers and judges on matters pertaining
to the law governing lawyers; expert witness

**Clayman and Rosenberg
New York, New York**

2006 - 2008

Of Counsel

Advise and represent lawyers and legal organizations on matters
pertaining to the law governing lawyers; expert witness

Hinshaw & Culbertson LLP 2004 - 2006
New York, New York
 Of Counsel
 Advise and represent lawyers and legal organizations on matters
 pertaining to the law governing lawyers; expert witness

Private Practice 1988 - 2000
New York, New York
 Criminal, civil rights and constitutional rights litigation

Center for Constitutional Rights 1982 - 1988
New York, New York
 National practice in civil rights and international human rights.

Gibbs, Douglas, Theiler, Yaroshefsky and Drachler 1980 - 1982
Seattle, Washington
 Criminal defense and civil rights litigation

Seattle-King County Public Defender 1976 - 1980
Seattle, Washington
 Criminal defense litigation

Puyallup Indian Tribe 1975 - 1976
Tacoma, Washington
 Staff attorney providing general legal counsel to tribe on land rights and
 economic development.

Professional Service

New York State Joint Commission on Public Ethics (JCOPE)
 Commissioner 2012-

New York State Bar Association Committee on 2003 -
 Standards of Attorney Conduct (COSAC)

American Bar Association 2006 -
 Criminal Justice Section
 Co-chair of Ethics, Gideon and Professionalism Committee

New York County Lawyers Association 2008 -
 Professional Ethics Committee

New York County Lawyers Association
 Justice Center Advisory Board 2004 -07

National Association of Criminal Defense Lawyers 2003 -
 Co-chair, Ethics Advisory Committee

Association of the Bar of the City of New York Committee on Professional Responsibility	2002-2004 1994 -1998
Association of the Bar of the City of New York Criminal Courts Committee	2008-2011
National Conference of Bar Examiners MPRE Drafting Committee	2002
Legal Services for New York City LSNY Planning Process Advisory Committee	2001- 2002
Center for Constitutional Rights Executive Committee Board Member	2006 -

Publications

Prosecution Ethics in Context (with Bruce A. Green), in *Lawyers in Practice* (Leslie C. Levin and Lynn Mather (eds.)), University of Chicago Press (2012)

Ethics in Criminal Advocacy, *The State of Criminal Justice* 2010 (American Bar Association) (coauthored with Peter A. Joy)

Foreward: New Perspectives on Brady and Other Disclosure Obligations: What Really Works, 31 *Cardozo L. Rev.* 1943 (2010)

Enhancing the Justice Mission in the Exercise of Prosecutorial Discretion, 19 *Temple Pol. and Civ. Rts. L Rev.* 343 (2010)

My Client, the Cooperator Lied: Now What? Commentary Symposium, Criminal Law Defense, Ethics, and the Client Who Plans to Lie, 7 *Ohio St. J. Crim. Law* 659 (2010)

Ethics in Criminal Advocacy, *The State of Criminal Justice* 2009 (American Bar Association) (coauthored with Peter A. Joy)

Prosecutorial Discretion and Post-Conviction Evidence of Innocence, 6 *Ohio State J. Crim. L.* 467 (2009) (coauthored with Bruce A. Green)

Ethics and Plea Bargaining, American Bar Association Criminal Justice Symposium (Fall 2008)

Ethics in Criminal Advocacy, *The State of Criminal Justice* 2008 (American Bar Association) (coauthored with Bruce A. Green)

Zealous Lawyering Succeeds Against All Odds: Major Mori and the Legal Team for David Hicks at Guantanamo Bay, Symposium Issue, 13 *Roger Williams L. Rev.* 469 (2008)

Military Lawyering at the Edge of the Rule of Law at Guantanamo: Should Lawyers Be Permitted to Violate the Law, 36 Hofstra L. Rev. 563 (2008)

State of Washington v. Sherrie Lynn Allery, Victory Despite Conviction in Michael E. Tigar and Angela J. Davis (eds.), Trial Stories, 13 (2008)

Secret Evidence is Slowly Eroding the Adversary System, 34 Hofstra L. Rev. 1063 (2006)

Classified Information and the Courts, Secret Evidence and the Courts in the Age of National Security, 5 Cardozo Public Law, Policy and Ethics Journal 1 (2006)

Conference Overview and Summary, The New York City Housing Court in the 21st Century, 3 Cardozo J. Pub. Policy, Law and Ethics Journal 591 (2006) (with Marilyn Flood)

Wrongful Convictions: It Is Time to Take Prosecution Discipline Seriously, Symposium, 8 U.D.C. Law Review 275 (2004)

Introduction to the Cooperating Witness Conundrum, 23 Cardozo Law Review 747 (2002)

Session Four: Special Issues in Assisted Settlement, A Symposium: Ethical Issues in Settlement Negotiations, 52 Mercer Law Review 947 (2001)

Unethical Clauses in Settlement Agreements, New York Employment Law and Practice Vol 2, No. 1 (2000)

Litigation Ethics: Course Materials for Continuing Legal Education, Materials on Client and Witness Perjury, ABA Section of Litigation, (2000)

Cooperation with Federal Prosecutors: Experiences of Truth Telling and Embellishment, 68 Fordham Law Review 917 (1999)

Advertising: Targeted Mailings for Personal Injury and Criminal Clients, New York Professional Responsibility Reporter (June 1998)

How Future Lawyers Learn, Federal Bar Council News (1997)

Balancing Victim's Rights and Vigorous Advocacy for the Defendant, N.Y.U. Annual Survey of American Law 135 (1989)

The Tucson Trial and Its Legal Consequences of Asylum Seekers, 9 Proceedings of the National Legal Conference on Immigration and Refugees (1986)

Presentations in Professional and Academic Programs (since 2003)

Ethics and Open Source Software, Practicing Law Institute, (11/11)

Challenging Ethical Dilemmas: Candor, Client Competency and the Use of Social Networking, New York County Lawyers Criminal Trial Advocacy Institute, (11/11)

Legal and Ethical Implications for Defense Counsel, Prosecutors and the Court in Cutting Edge Forensic Science Issues: Discovery and Disclosure Obligations, New York State Bar Association, (11/11)

Attorney Advertising, Social Media and Ethics, National Advertising Division Annual Conference, (10/11)

Ethics for Corporate Counsel, New York State Bar Association Corporate Counsel Section, (11/10)

Ethical Considerations for Using Technology in Your Practice American Bar Association Section on Litigation, 11th Annual Women in Product Liability Conference (11/10)

Prosecutorial Ethics, Sixth Annual Defending the White Collar Case (9/10)

Ethical Issues in Prison Actions, Prison Law 2009, Practicing Law Institute (9/10)

Difficult Ethical Choices, Office of Legal Counsel, Second Circuit Court of Appeals (7/10)

Prosecutors and Their Disclosure Duties, American Bar Association Professional Responsibility Annual Conference (6/10)

Litigating Under the New Ethics Rules: A Close Look at Rule 3.3 and Gender Bias in the Courthouse, New York Women's Bar Association (5/10)

Update on Legal Ethics in Investigation, National Employment Lawyers Association Spring Conference (5/10)

Ethical Issues with Blogging, Friending and Tweeting, Association of the Bar of the City of New York (3/10)

Ethical Issues in Criminal Defense Practice, 24th Annual Metropolitan New York Trainer (3/10)

Ethics for Corporate Counsel, New York State Bar Association Third Corporate Counsel Institute (11/09)

Ethical Implications of Open Source Strategies, Open Source Software, Practicing Law Institute, (11/09)

The New New York Rules of Professional Conduct in Criminal Practice, Citibar Center for Continuing Legal Education (11/09)

Examining Modern Approaches to Prosecutorial Discretion, Keynote Address, Temple University Beasley School of Law Political and Civil Rights Law Review Annual Symposium (10/09)

Racial Issues, Confidentiality and Other Ethical Dilemmas, 2009 Annual Criminal Defense Conference, Milwaukee, Wisconsin (9/09)

Ethical Issues in Prison Actions, Prison Law 2009, Practicing Law Institute (9/09)

Ethical Issues in Special Education, Seventh Annual School Law Institute, Practicing Law Institute, (5/09)

Past, Present and Future of Guantanamo, CSPAN, April 2009

Ethical Implications of Open Source Strategies, Open Source Software, Practicing Law Institute, (11/08)

Confidentiality and Its Limits, Legal Ethics in New York, Lorman Educational Services, New York (9/08)

Ethical Issues in Client Representation at Guantanamo, Association of Professional Responsibility Lawyers, (5/08)

The Prosecution Ethic, Symposium in Tribute to Seattle-King County Prosecutor Norm Maleng, Seattle Washington (5/08)

The Bi-Annual Criminal Justice Retreat: A Summit on the Prosecution Function, Association of the Bar of the City of New York (4/08)

Ethical Issues in Direct and Cross Examination, American Bar Association Criminal Justice Section, (4/08)

Ethical Issues in Witness Preparation, Commercial and Federal Litigation Section, New York State Bar Association, (1/08)

What Every Attorney Must Know About Ethics, Practicing Law Institute (12/07)

Ethics and Professionalism in Plea Negotiation: Best Practices and Worst Pitfalls, American Bar Association Criminal Justice Section 2007 Fall Conference, Washington, D.C., (11/07)

Business and Ethical Implications of Open Source Strategies, Open Source Software, Practicing Law Institute, (11/07)

Confidentiality and Conflicts, Back to Business, Proskauer Rose LLP, (11/07)

Lawyering and Terrorism Cases, Legal Dilemmas in a Dangerous World: Law Terrorism and National Security, Roger Williams University School of Law, (11/07)

Lawyering at the Edge of the Rule of Law, Ethics Conference: Lawyering at the Edge, Hofstra Law School (10/07)

Ethics in Employment Law, Jackson Lewis Women's Employment Law Conference, New Jersey (10/07)

Zealous Representation: Ethical Limits and Trial Techniques, New York State Bar Association (5/07)

Ethical Practices in Start-Ups and Smaller Firms, Association of the Bar of the City of New York, (5/07)

Ethics for the Immigration Lawyer, Federal Bar Association, New Jersey 26th Annual Hon. William H. Strasser Immigration Conference, (5/07)

Ethical Issues in Special Education, Fifth Annual School Law Institute, Practicing Law Institute, (5/07)

Potential Criminal Exposure of Attorneys, Professional Responsibility and Risk Management Conference, New York (10/06)

Attorney-Client Privilege, Inadvertent Disclosure and Document Retention, Jackson Lewis Women's Employment Law Conference, New Jersey (10/06)

Ethical Issues for Intellectual Property Lawyers, The Copyright Society of the USA, New York (9/06)

Ethical Issues in Advising the Self Represented, New York Family Court (9/06)

Ethical Issues for the Entertainment Lawyer, Association of the Bar of the City of New York Center for Continuing Legal Education, (6/06)

Prosecution Ethics, American Bar Association Professional Responsibility Conference, Vancouver, B.C. (6/06)

Ethical Issues for Employment Lawyers, National Employment Lawyers Association, (5/06)

Ethical Issues in Special Education, Sixth Annual School Law Institute, Practicing Law Institute, (5/06)

Lawyers in the Dock: When Does Good Lawyering Become Criminal Conduct, Association of the Bar of the City of New York Center for Continuing Legal Education, (2/06)

Prosecution Ethics, Association of Professional Responsibility Lawyers, (2/06)

The Law and Ethics of Criminal Defense in Terrorism Cases, Association of American Law Schools, (1/06)

Bridge the Gap, Practicing Law Institute, (12/05)

Secret Evidence is Eroding the Adversary System, Lawyers' Ethics in an Adversary System, 2005 Legal Ethics Conference, Hofstra Law School, (11/05)

The Changing Legal Profession, Legal Ethics in the New Millennium, American Association of Law Schools Professional Responsibility Conference, (6//05)

Ethical Issues in Special Education, Fifth Annual School Law Institute, Practicing Law Institute, (4//05)

Ethical Issues in Pro Bono Work, City Bar Center for Continuing Legal Education, (6/05)

Ethical Dilemmas for Financial Services Attorneys, SIA Compliance and Legal Division, (6/05)

Ethics for the Immigration Lawyer, City Bar Center for Continuing Legal Education, (3/05)

Ethical Considerations for Corporate Investigations, City Bar Center for Continuing Legal Education, (9/04)

Timely Ethical Issues: Cooperating Witnesses, Federal Bar Council, (11/04)

Ethical Issues for the Entertainment Lawyer, City Bar Center for Continuing Legal Education, (6/04)

Ethics for the Immigration Lawyer, City Bar Center for Continuing Legal Education, (3/04)

Ethical Issues in Dealing with the Difficult Client, New York Employment Lawyers Annual Conference, (11/03)

Internet Ethics, New York County Lawyers Association, (10/03)

The Evolving Defense Function in the Wake of Sarbanes-Oxley, New York Council of Defense Lawyers 2003 Biennial Retreat, with SEC Commissioner Harvey Goldschmid, SDNY Judge Jed Rakoff and New York State Attorney General Eliot Spitzer, (10/03)

Child Abuse, Neglect & the Foster Care System - The Attorney's Role & Responsibilities 2003, Practicing Law Institute, (3/03)

Education

Rutgers School of Law, Newark, New Jersey J.D. 1975

Douglass College for Women

Rutgers University, New Brunswick, New Jersey B.A. 1969

Honors

"Eric Neisser Award for Outstanding Public Service,"
Rutgers University School of Law

Sept 2005

<i>“Outstanding Contribution in the Field of Criminal Law Education” Award</i> New York State Bar Association, Criminal Justice Section	Jan 2000
Monrad G. Paulsen Award (with other members of the clinical faculty) <i>“In recognition of devoted service to the ideals and purposes of Legal Education”</i>	June 1998
American Immigration Lawyers Association Award	June 1991
Steps to End Family Violence Award	May 1991